IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

RP.No. 559 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.4944/2006 Dated 31/01/2007

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REVIEW PETITIONERS/RESPONDENTS 2 & 3

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1. THE DEPUTY SUPERINTENDENT OF POLICE,
   SUB DIVISIONAL POLICE OFFICE, ALUVA.

2. STATE OF KERALA REP. BY THE
   CHIEF SECRETARY, GOVT. SECRETARIAT,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. BASANT BALAJI

RESPONDENTS: PETITIONER

P.P.JOHNSON,
TRANSPORTING CONTRACTOR,
POONOLIL HOUSE, OKKAL P.O.,
PERUMBAVOOR-683550.

BY ADV. SRI.K.RAMAKUMAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

R.P.NO. 559 OF 2007
IN W.P.C. NO. 4944 OF 2006

Dated this the 27th day of June, 2007

O R D E R

This Review Petition is filed by the Deputy Superintendent of Police, second respondent in WPC, for modification for judgment stating that investigation is taken over by the CBI. Obviously, if CBI has taken over the investigation, second respondent cannot continue investigation pursuant to direction contained in the WP. Therefore Review Petition is allowed vacating the judgment in regard to direction for completion of investigation by the second respondent. However, the order of the Deputy Superintendent of Police to the first respondent in the WP that is State Co-op. consumers Federation will remain in force until investigation by the CBI is over and thereafter second respondent will suitably modify the order depending upon the result of investigation.

(C.N.RAMACHANDRAN NAIR)
Judge